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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,437	12/27/2001	Adolfo S. Montero	M-12134 US	1358

7590 08/26/2004

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EXAMINER	
INOA, MIDYS	

ART UNIT	PAPER NUMBER
2188	6

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/034,437	Applicant(s) MONTERO, ADOLFO S.	
	Examiner Midys Inoa	Art Unit 2188	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 May 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-56* is/are pending in the application.

4a) Of the above claim(s) *29-56* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 December 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings received on December 27th, 2001 have been accepted by the Examiner.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawai (2001/0011355 A1) in view of Computer Networks by Larry L. Peterson and Bruce S. Davie and Microsoft Computer Dictionary; where Microsoft Computer Dictionary is used as an evidentiary reference.

Regarding Claims 1 and 15, Kawai teaches a memory in a battery unit (battery memory 9, figure 1) on an information handling device (information terminal) where a predetermined data word (password) is assigned to an available address in memory (password stored in battery memory, page 1, Paragraph 11), data is received in a non-programmable section of memory (reading first and second password, Page 1, Paragraph 13) and a programmable section of the memory is modified if the received data complies with the predetermined data word (comparing passwords and providing power to complete an access on main memory if the passwords match, pages 2-3, Paragraph 37-39).

Kawai further teaches:

providing a processor, wherein a processor must be present in a portable information apparatus such as a laptop computer;

interfacing a controller (information management section of Figure 3) between the processor in the portable information apparatus and the battery unit for checking battery unit presence, where the interfacing occurs at power-on and the checking for presence occurs when attempting to power the portable device (without a battery a portable device cannot be operated, and thus, the presence of the battery must be checked);

coupling a monitor (security information section 57) to the processor to determine the battery unit updating requirements, wherein the main requirement is that of password confirmation;

and coupling a flash device (information memory 54) to the processor for providing an updated battery unit configuration, wherein the information memory includes configuration and system information and monitors when a erroneous access has been attempted (see Page 1, paragraph 007).

Kawai does not teach performing a checksum of the registers in the memory. Davie et al. teaches performing a checksum for error detection and confirmation purposes (Page 92-93). It would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate the checksum of Davie et al. to the system of Kawai since such addition would make the system more secure and would allow for less errors and more data protection. A checksum is a calculated value used to test data and known to identify errors (see Microsoft Computer Dictionary, Page 84 for support). Figure 1 of Kawai teaches that the information-handling device of the invention is enclosed within a processor.

Regarding Claims 2 and 16, Kawai teaches a communication section 8 within the information handling device (information terminal), which controls the communication between the battery unit 9 and other components. Since the communication section acts as a communication controller, in enabling the reception of password data it multiplexes communication control signals along with the passwords that must be verified (Page 2, Paragraphs 33-35).

Regarding Claims 3-4 and 17-18, in performing a password comparison and adding the checksum function of Davie et al., the invention of Kawai in view of Davie et al. teaches performing security measures prior to modifying the programmable section of the memory (prior to providing power for a memory load or access, see Pages 2-3, Paragraphs 37-39 and Page 92-93)

Regarding Claims 5-7 and 19-21, Kawai teaches a communication section 8 within the information handling device (information terminal), which controls the communication between the battery unit 9 and other components. Since the communication section acts as a communication controller and controls the sending of data within the information terminal, communication section 8 is considered to be a control hub (see Page 2, Paragraphs 33-35).

Regarding Claims 8-14 and 22-28, the buses of Kawai, shown on Figure 1 as communication paths, are considered to be system management buses since they enable the exchange of data for system management purposes.

Response to Arguments

4. Applicant's arguments filed May 26th, 2004 have been fully considered but they are not persuasive.

Applicant argues that Kawai does not teach providing a processor; interfacing a controller between the processor in the portable information apparatus and the battery unit for checking battery unit presence; coupling a monitor to the processor to determine the battery unit updating requirements; and coupling a flash device to the processor for providing an updated battery unit configuration.

Kawai teaches:

providing a processor, wherein a processor must be present in a portable information apparatus such as a laptop computer;

interfacing a controller (information management section of Figure 3) between the processor in the portable information apparatus and the battery unit for checking battery unit presence, where the interfacing occurs at power-on and the checking for presence occurs when attempting to power the portable device (without a battery a portable device cannot be operated, and thus, the presence of the battery must be checked);

coupling a monitor (security information section 57) to the processor to determine the battery unit updating requirements, wherein the main requirement is that of password confirmation;

and coupling a flash device (information memory 54) to the processor for providing an updated battery unit configuration, wherein the information memory includes configuration and system information and monitors when a erroneous access has been attempted (see Page 1, paragraph 007).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the

teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves **or in the knowledge generally available to one of ordinary skill in the art**. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Kawai does not teach performing a checksum of the registers in the memory. Davie et al. teaches performing a checksum for error detection and confirmation purposes (Page 92-93). **Examiner states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate the checksum of Davie et al. to the system of Kawai since such addition would make the system more secure and would allow for less errors and more data protection. A checksum is known to be calculated value used to test data and it is known to identify errors (see Microsoft Computer Dictionary, Page 84 for support)**.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Midys Inoa whose telephone number is (703) 305-7850. The examiner can normally be reached on M-F 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mano Padmanabhan can be reached on (703) 306-2903. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Midys Inoa
Examiner
Art Unit 2188

MI

Mano Padmanabhan 8/21/04

MANO PADMANABHAN
SUPERVISORY PATENT EXAMINER